

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK L. KING,
Plaintiff,

v.

OFFICER MATTHEW CAVALLO,
et al.,
Defendants.

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CIVIL ACTION NO. 19-CV-1005

ORDER

AND NOW, this 30 day of May, 2019, upon consideration of *pro se* Plaintiff Derrick L. King's Amended Complaint (ECF No. 12), it is hereby **ORDERED** that:

1. The Amended Complaint is **DISMISSED** as legally baseless and for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and § 1915(e)(2)(B)(ii), for the reasons set forth in the Court's Memorandum. King's claims are **DISMISSED with prejudice** with the exception of his claims that the Court dismissed as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994), which are **DISMISSED without prejudice** to King's right to pursue these claims in a new lawsuit only if he is successful in challenging his conviction and sentence in state court or federal *habeas* proceedings. King may not file a second amended complaint in this case because amendment would be futile.

2. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:


C. DARNELL JONES, II, J.